

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN McMACKIN,

Defendant.

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No. 09-cr-20202-STA

**ORDER DENYING MOTION FOR APPOINTMENT OF COUNSEL
WITHOUT PREJUDICE**

Before the Court is Defendant Brian McMackin's Motion for Appointment of Counsel (ECF No. 32) filed December 16, 2020. Defendant requests appointment of counsel, apparently to assist him in pursuing a sentence reduction based on the ongoing COVID-19 pandemic. On January 8, 2021, the Court denied Defendant's motion for sentence reduction without prejudice, holding that Defendant had not made an individualized showing to demonstrate why COVID-19 poses a particularized risk to himself. In light of the denial of Defendant's motion, the Court finds that Defendant is not entitled to appointment of counsel at this time. The Motion is **DENIED** but without prejudice to renew the request upon some change in Defendant's circumstances.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT JUDGE

Date: March 30, 2021